

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

PAMELA EGLE  
a.k.a. PAMELA GAIL EGLE  
194 E. Ralston Avenue  
San Bernardino, CA 92404

Registered Nurse License No. 662780

Respondent

Case No. 2012-489

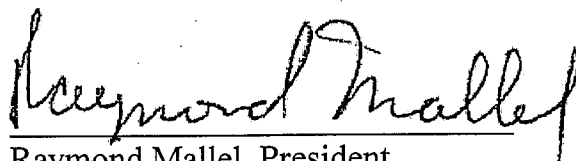
OAH No. 2012030173

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **October 3, 2012.**

IT IS SO ORDERED **October 3, 2012.**



Raymond Mallel, President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
3 DESIREE I. KELLOGG  
Deputy Attorney General  
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*Attorneys for Complainant*

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**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
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11 In the Matter of the Accusation Against:

Case No. 2012-489

12 **PAMELA EGLE AKA PAMELA GAIL**  
13 **EGLE**

OAH No. 2012030173

14 **194 E. Ralston Avenue**  
**San Bernardino, CA 92404**

**STIPULATED SURRENDER OF**  
**LICENSE AND ORDER**

15 **Registered Nurse License No. 662780**

16 Respondent.

17  
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
19 proceeding that the following matters are true:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of  
22 Registered Nursing. She brought this action solely in her official capacity and is represented in  
23 this matter by Kamala D. Harris, Attorney General of the State of California, by Desiree I.  
24 Kellogg, Deputy Attorney General.

25 2. Pamela Egle aka Pamela Gail Egle (Respondent) is represented in this proceeding by  
26 attorney Donald B. Brown, Esq., whose address is Torrance Executive Plaza, 3848 Carson Street,  
27 Suite 206, Torrance, CA 90503.  
28

3. On or about August 5, 2005, the Board of Registered Nursing issued Registered Nurse License No. 662780 to Pamela Egle aka Pamela Gail Egle (Respondent). The Registered Nurse License was in full force and effect at all times relevant to the charges brought in Accusation No. 2012-489 and will expire on November 30, 2012, unless renewed.

## JURISDICTION

4. Accusation No. 2012-489 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on February 23, 2012. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2012-489 is attached as Exhibit A and incorporated by reference.

## ADVICE AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2012-489. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

## CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 2012-489, agrees that cause exists for discipline and hereby surrenders her Registered Nurse License No. 662780 for the Board's formal acceptance.

9. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Registered Nurse License without further process.

## CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

## ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 662780, issued to Respondent Pamela Egle aka Pamela Gail Egle, is surrendered and accepted by the Board of Registered Nursing.

1           1.     The surrender of Respondent's Registered Nurse License and the acceptance of the  
2     surrendered license by the Board shall constitute the imposition of discipline against Respondent.  
3     This stipulation constitutes a record of the discipline and shall become a part of Respondent's  
4     license history with the Board of Registered Nursing.

5           2.     Respondent shall lose all rights and privileges as a registered nurse in California as of  
6     the effective date of the Board's Decision and Order.

7           3.     Respondent shall cause to be delivered to the Board her pocket license and, if one was  
8     issued, her wall certificate on or before the effective date of the Decision and Order.

9           4.     If Respondent ever files an application for licensure or a petition for reinstatement in  
10    the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
11    comply with all the laws, regulations and procedures for reinstatement of a revoked license in  
12    effect at the time the petition is filed, and all of the charges and allegations contained in  
13    Accusation No. 2012-489 shall be deemed to be true, correct and admitted by Respondent when  
14    the Board determines whether to grant or deny the petition.

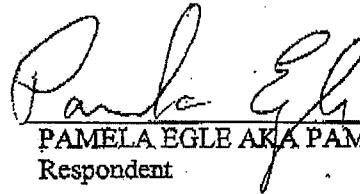
15          5.     Upon reinstatement, Respondent shall pay to the Board costs associated with its  
16    investigation and enforcement pursuant to Business and Professions Code section 125.3 in the  
17    amount of \$4,245.00. Respondent shall be permitted to pay these costs in a payment plan  
18    approved by the Board. Nothing in this provision shall be construed to prohibit the Board from  
19    reducing the amount of cost recovery upon reinstatement of the license.

20          6.     If Respondent should ever apply or reapply for a new license or certification, or  
21    petition for reinstatement of a license, by any other health care licensing agency in the State of  
22    California, all of the charges and allegations contained in Accusation, No. 2012-489 shall be  
23    deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of  
24    Issues or any other proceeding seeking to deny or restrict licensure.

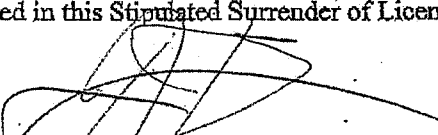
25          7.     Respondent shall not apply for licensure or petition for reinstatement for one (1) year  
26    from the effective date of the Board of Registered Nursing's Decision and Order.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Donald B. Brown, Esq. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 9/13/12  
PAMELA EGLE AKA PAMELA GAIL EGLE  
Respondent

I have read and fully discussed with Respondent Pamela Egle aka Pamela Gail Egle the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 9-13-12  
DONALD B. BROWN  
Attorney for RespondentENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 9/13/12

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
JAMES M. LEDAKIS  
Supervising Deputy Attorney General

  
DESIREE A. KELLOGG  
Deputy Attorney General  
*Attorneys for Complainant*

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## **Exhibit A**

**Accusation No. 2012-489**

1 KAMALA D. HARRIS  
Attorney General of California  
2 JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
3 DESIREE I. KELLOGG  
Deputy Attorney General  
4 State Bar No. 126461  
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5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 645-2996  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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10 **BOARD OF REGISTERED NURSING**  
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12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. **2012-489**

14 **PAMELA EGLE AKA PAMELA GAIL**  
15 **EGLE**

**ACCUSATION**

16 **194 E. Ralston Avenue**  
17 **San Bernardino, CA 92404**

18 **Registered Nurse License No. 662780**

19 **Respondent.**

20 **Complainant alleges:**

21 **PARTIES**

- 22 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
23 official capacity as the Interim Executive Officer of the Board of Registered Nursing.  
24 2. On or about August 5, 2005, the Board of Registered Nursing issued Registered  
25 Nurse License Number 662780 to Pamela Egle also known as Pamela Gail Egle (Respondent).  
26 The Registered Nurse License was in full force and effect at all times relevant to the charges  
27 brought herein and will expire on November 30, 2012, unless renewed.  
28



## JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

6. Section 2811(b) of the Code states:

Each such license not renewed in accordance with this section shall expire but may within a period of eight years thereafter be reinstated upon payment of the biennial renewal fee and penalty fee required by this chapter and upon submission of such proof of the applicant's qualifications as may be required by the board, except that during such eight-year period no examination shall be required as a condition for the reinstatement of any such expired license which has lapsed solely by reason of nonpayment of the renewal fee. After the expiration of such eight-year period the board may require as a condition of reinstatement that the applicant pass such examination as it deems necessary to determine his present fitness to resume the practice of professional nursing.

## STATUTORY PROVISIONS

7. Section 2761 of the Code states:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following...

8. Section 2762 of the Code states:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or

1 herself, or furnish or administer to another, any controlled substance as defined in  
2 Division 10 (commencing with Section 11000) of the Health and Safety Code or any  
3 dangerous drug or dangerous device as defined in Section 4022.

4 (b) Use any controlled substance as defined in Division 10 (commencing with  
5 Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous  
6 device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner  
7 dangerous or injurious to himself or herself, any other person, or the public or to the  
8 extent that such use impairs his or her ability to conduct with safety to the public the  
9 practice authorized by his or her license.

10 9. Code section 2770.11(b) provides that:

11 If the program manager determines that a registered nurse, who is denied  
12 admission into the program or terminated from the program, presents a threat to the  
13 public or his or her own health and safety, the program manager shall report the name  
14 and license number, along with a copy of all diversion records for that registered  
15 nurse, to the board's enforcement program. The board may use any of the records it  
16 receives under the subdivision in any disciplinary proceeding.

#### 17 COST RECOVERY

18 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
19 administrative law judge to direct a licentiate found to have committed a violation or violations of  
20 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
21 enforcement of the case.

#### 22 FACTUAL ALLEGATIONS

23 11. Respondent was employed as a registered nurse in the medical/surgical unit of San  
24 Bernardine Hospital in San Bernadino, California. After hospital personnel observed a syringe  
25 fall out of Respondent's purse in the restroom, Respondent admitted to her supervisor that she  
26 had been diverting Diluadid and morphine and using those substances while on duty for  
27 approximately a year. Respondent then self-referred herself to the Board of Registered Nursing's  
28 MAXIMUS Diversion Program and enrolled on or about May 13, 2011. During her intake  
assessment at MAXIMUS, Respondent admitted that she had been diverting Dilaudid and  
morphine and using those controlled substances while on duty. Respondent further admitted that  
she was an alcoholic and drug addict. Respondent was accepted into MAXIMUS in or about June  
2011.

1 12. By enrolling in MAXIMUS, Respondent initially agreed among other terms, to  
2 abstain from the use of alcohol and all other mind-altering drugs, agreed to be suspended from the  
3 practice of nursing, agreed to submit to random urine tests to monitor drug and alcohol usage,  
4 agreed to enter and successfully complete a chemical dependency inpatient treatment program  
5 and to attend chemical dependency support groups seven times a week. Respondent subsequently  
6 agreed, among other new terms, to attend an aftercare recovery program for a total of a year.

7 13. On September 6, 2011, Respondent underwent biological fluid testing and tested  
8 positive for the presence of EtG, alcohol in her system. On September 15, 2011, she failed to  
9 contact FirstLab to determine if she must undergo testing that day. She was deemed relapsed and  
10 mandated by the DEC committee to attend another inpatient recovery program for 30 days  
11 followed by living in a recovery home for 60 days. On November 1, 2011, she tested positive for  
12 benzodiazepines at an increased level from her October 26, 2011 test positive for the presence of  
13 benzodiazepines provided to her through a recovery program. On November 4, 2011, she tested  
14 positive for the presence of EtG, alcohol in her system. The DEC committee deemed this positive  
15 test to be a relapse and she was mandated to attend an inpatient recovery program for 6 months.

16 14. Respondent stopped returning telephone calls to her case manager at MAXIMUS.  
17 She failed to test on November 11, 2011 and November 14, 2011 and she stopped attending her  
18 nurse support group. On November 21, 2011, Respondent was terminated from MAXIMUS for  
19 non-compliance and deemed a public risk.

#### 20 **FIRST CAUSE FOR DISCIPLINE**

##### 21 **(Unprofessional Conduct)**

22 15. Respondent is subject to disciplinary action under Code section 2761(a) in that  
23 Respondent exhibited unprofessional conduct, as set forth in paragraphs 11-14 above which are  
24 incorporated herein by reference, for the failure to comply with the Board's diversion program as  
25 she agreed to do.

1                                   **SECOND CAUSE FOR DISCIPLINE**

2                                   **(Obtain or Possess Controlled Substance in Violation of Law)**

3           16. Respondent is subject to disciplinary action under Code section 2762(a) in that  
4 Respondent obtained or possessed controlled substances in violation of law, as set forth in  
5 paragraphs 11-14, above, which are incorporated herein by reference.

6                                   **THIRD CAUSE FOR DISCIPLINE**

7                                   **(Use Alcohol or Controlled Substance in a Manner Dangerous to Self or Others)**

8           17. Respondent is subject to disciplinary action under Code section 2762(b) in that  
9 Respondent used alcohol and/or controlled substances to an extent as to be dangerous to herself or  
10 others, as set forth in paragraphs 11-14, above, which are incorporated herein by reference.

11                                   **DISCIPLINARY CONSIDERATIONS**

12           18. Pursuant to title 16, California Code of Regulations, section 1445, to determine the  
13 degree of discipline, if any, to be imposed on Respondent, Complainant alleges that before  
14 Respondent was licensed as a registered nurse, in or about 1998, Respondent was arrested for  
15 possession with intent to sell a controlled substance and in a criminal proceeding entitled *The*  
16 *People of the State of California v. Pamela Gail Barron*, in San Bernardino County Superior  
17 Court, case number FSB20639, Respondent was convicted of a felony subsequently reduced to a  
18 misdemeanor for violating Health & Safety Code section 11377, possession of a controlled  
19 substance and dismissed pursuant to Penal Code section 1203.4. This conviction was disclosed  
20 on Respondent's application for licensure.

21                                   **PRAYER**

22           WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
23 and that following the hearing, the Board of Registered Nursing issue a decision:

24           1. Revoking or suspending Registered Nurse License Number 662780, issued to Pamela  
25 Egle also known as Pamela Gail Egle;

26           2. Ordering Pamela Egle also known as Pamela Gail Egle to pay the Board of  
27 Registered Nursing the reasonable costs of the investigation and enforcement of this case,  
28 pursuant to Business and Professions Code section 125.3;

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3. Taking such other and further action as deemed necessary and proper.

DATED: February 23, 2012

*Louise R. Bailey*  
LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
State of California  
*Complainant*

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